IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 181 OF 2007
IN
CRIMINAL APEAL NO. 162 OF 2007.

Mrs. Sainab Bte Yousuf ..Applicant
V/s
Union of India and Anr ..Respondents.

Ms.Nilofer Saiyed, Advocate for the applicant.

Mrs. M.M. Deshmukh, APP for the State.

Dr.Mrs. S.A.Rathod, Lady Medical Officer.

Mr. S.S. Deharkar, Sr. Jailor, Mumbai District Womens' Jail, Byculla.

CORAM : J.H. BHATIA, J.

DATE : 20TH MARCH, 2007.

P.C.

. Mrs. Deshmukh, learned A.P.P. on instructions makes a statement that till the year 2003 the applicant was given treatment for cancer. However, since she was transferred to Mumbai District Womens' jail, Byculla, she has not been taken to Tata Memorial Hospital for check up or treatment. However, she was being taken to J.J.Hospital as and when required. Admittedly, J.J. Hospital does not have facility either for diagnosis or

for a treatment of cancer. In view of the fact that even as per the report of the medical officer of the Jail, she is suffering from cancer, the jail authorities are hereby directed to refer the applicant to Tata Memorial Hospital for examination and if necessary for treatment.

2. Ms. Nilofer Saiyed, learned Counsel for the applicant makes a statement that the applicant is not in financial position to bear the expenses of treatment. Mrs. Deshmukh, A.P.P. has objection to grant bail to her. As the applicant is in jail, it is naturally the responsibility of the State to provide necessary medical treatment. Therefore, the expenses of her treatment shall be borne by the State. In view of the above direction for providing treatment to the applicant, the learned Counsel for the applicant does not press this application. Application stands disposed off.

3. The concerned parties to act on the copy of this order duly authenticated.

(J.H. BHATIA, J.)

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. The sentence awarded to the appellant is R.I.for 10 years and she is in jail for about 6 years. Therefore, it is necessary to expedite the final hearing of the appeal. Paper book be prepared expeditiously and in any case, within 4 weeks and after that the matter be listed for final hearing.

(J.H. BHATIA, J.)